

July 1, 1999

FACT SHEET

FINAL AIR TOXICS RULE FOR PRIMARY LEAD SMELTERS

TODAY'S ACTION

- The Environmental Protection Agency (EPA) is issuing a final regulation to establish emissions limits for toxic air pollutants from primary lead smelters. Air toxics, also known as hazardous air pollutants (HAP), are those pollutants known or suspected to cause cancer or other serious health effects.
- Primary lead smelters process lead bearing ore concentrates to produce lead metal. The majority of the lead produced is used to manufacture lead-acid batteries. The primary lead smelting "source category" (as defined by the Clean Air Act) does not include secondary lead smelters, lead remelters, or lead refiners.
- There are three primary lead smelters operating in the United States - an ASARCO Inc. facility located in Glover Missouri, an ASARCO Inc. facility located in East Helena, Montana, and a Doe Run Company facility located in Herculaneum, Missouri.
- All three facilities are "major" sources of metallic HAP including compounds of lead, arsenic, antimony, and cadmium. A "major" source is an industrial ("stationary") source that has the potential to emit 10 tons/year or more of a listed HAP, or 25 tons/year or more of a combination of HAP.
- This final rule establishes a "plant wide" emission limit of 500 grams of lead per megagram of lead produced from the aggregation of emissions discharged from 8 identified sources that emit hazardous air pollutants.
- This final rule also requires primary smelters to develop and operate according to a Standard Operating Procedure (SOP) Manual for the control of fugitive dust sources and for the operation and maintenance of control devices. Each smelter's SOP Manual will be reviewed and subject to approval by the EPA Administrator or designated authority.

BACKGROUND

- Under the Clean Air Act Amendments of 1990 (the Act), the EPA is required to regulate sources of 188 listed toxic air pollutants. (Note that this list originally contained 189 pollutants, but EPA has subsequently removed the chemical caprolactam from the list.) On July 16, 1992, the EPA published a list of industry groups (known as source categories) that emit one or more of these air toxics. For listed categories of major sources, the Act requires EPA to develop standards that require the application of stringent air pollution reduction measures known as maximum achievable control

technology (MACT).

- EPA's list of source categories to be regulated includes primary lead smelting. EPA proposed the rule for primary lead smelters on April 17, 1998, and solicited comments on the proposed rule. EPA received two comments letters on the proposed rule. EPA published a supplemental proposal on February 12, 1999, and provided for a second comment period. EPA received three comment letters on the supplemental proposal. EPA considered and addressed all public comments in formulating this final rule.
- Each of the three primary lead smelters are already subject to federally enforceable emission limitations and work practice requirements under a different part of the Clean Air Act that requires EPA to set a national air quality standard for lead. EPA has reviewed these emission limitations and requirements for each of the three facilities, and has determined that the requirements represent Clean Air Act requirements of MACT for this industry. The requirements of today's action are consistent and compatible with the current limitations and work practices.

WHAT ARE THE HEALTH AND ENVIRONMENTAL BENEFITS?

- Today's final rule sets control levels for primary lead smelters based on existing emission limits for lead. Since EPA is not requiring primary lead smelters to implement additional emission controls, no quantifiable emission reduction or other environmental impacts are anticipated to result from this rulemaking. However, EPA anticipates that today's rule will improve emission control device operation and maintenance procedures, which may result in significant but unquantifiable reductions in emissions of lead compounds and other metal HAP.

WHO WILL BE AFFECTED BY THIS RULE?

- All three existing primary lead smelters, and any new primary lead smelters will be affected by this rule.
- EPA has determined that none of the existing facilities are a small business.

HOW DOES THIS RULE PROVIDE FLEXIBILITY TO INDUSTRY?

- EPA's rule establishes a "plant wide" emission limit for lead compounds. The facilities will determine how and to what extent each source is controlled in order to achieve the emission limit.
- Plants will have the flexibility of offsetting increases in emissions at some regulated sources by decreasing emissions at others.

HOW MUCH WILL EPA'S REGULATION COST?

- EPA expects cost and economic impacts to be minimal. The only costs associated with the standards are those required to perform compliance assurance activities such as performance testing, monitoring, reporting, and recordkeeping.
- EPA does not expect the price or supply of refined lead for consumers to change as a result of this rule.

FOR FURTHER INFORMATION

- Interested parties can download the rule from the EPA's web site on the Internet under "recent actions" at the following address: <http://www.epa.gov/ttn/oarpg/>. For further information about the final rule, contact Mr. Kevin Cavender of the EPA's Office of Air Quality Planning and Standards at (919)541-2364.
- The EPA's Office of Air and Radiation's homepage on the Internet contains a wide range of information on the air toxics program, as well as many other air pollution programs and issues. The Office of Air and Radiation's homepage address is: <http://www.epa.gov/oar/>.